

AMERICAN RECORDER.

Vol VII

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PUBLISHED BY JOHN M'WILLIAMS

No. 887.

GENERAL ASSEMBLY.

From the Raleigh Register.

SENATE.

Friday Nov 30.

The bill to repeal an act passed last Session to provide for the payment of costs when a Slave is convicted of a capital crime, was rejected on its 2d reading.

Saturday, Dec. 1.

The following bills were presented: By Mr. Gentry, a bill making the affidavit of the people called Dunkards evidence in Criminal Cases; By Mr. Person, a bill to prevent frauds in conveyance of property; By Mr. Hays, a bill to amend an act passed in 1784 to prevent the exportation of unmerchantable commodities.

The first bill passed its first reading, the other two were referred.

Mr. Seawell, from the Judiciary Committee, to whom was referred the bill for the further suppression of vice and immorality, reported against the passage of the bill, which report was concurred with 54 yeas.

The bill for annexing a part of Bladen County to Columbus, was read the 3d time and passed.

Monday, Dec. 3.

The following bill was presented: By Mr. Huckabee, a bill to compel Executors to give security in future.

On motion of Mr. Wade, Resolved, by the Senate and House of Commons, That the Public Treasurer of this State be requested to lay before this General Assembly, a statement of all such monies as he is authorized by law to receive from the officers of the State Bank of North Carolina; and from the officers of the Banks of Newbern and Cape Fear, so far as respects the amount of their capital stock, and of the debts due to the same; of the monies deposited therein; of the monies in circulation; and of their cash in hand.

On motion of Mr. Bryan, the following Resolution was adopted: Whereas, the State of North Carolina is greatly interested in the State Bank, and a more intimate knowledge of its affairs would be at all times be useful to the community; Wherefore, be it resolved, that a select committee be appointed to confer with the Stockholders of said Bank on the propriety of so amending their charter, that the power of electing such number of Directors as the State may be fairly entitled to, be vested in the General Assembly; and that it be made the duty of the said Bank Directors to report to the General Assembly annually the amount of the debts due to said Bank by each of the Directors of said Bank and its Branches, where the sum shall exceed \$5000; And whether such Directors, whose debt exceeds the said amount of \$5000, have paid such instalments as have been exacted and paid by other dealers with the Bank.

Messrs. Bryan, Wade, Rufin Miller and Poole, of the Senate; and Messrs. Fisher, Hinton, Alston, M'Dowell and Martin, of the Commons, were appointed a Committee, in pursuance of said resolution.

Mr. M'Leary, from the balloting committee for a Brigadier General of the 5th Brigade, reported that John Alston was duly elected.

Tuesday, Dec. 4.

Mr. Bryan, from the committee, to whom was referred a bill to amend an act to prevent the exportation of unmerchantable commodities, reported that the bill ought to pass. It passed its first reading.

On motion of Mr. Seawell, the following Resolution was adopted: Resolved, That it be referred to the Committee of Finance, to enquire what amount of taxation is expedient to be imposed on every tenement upon which any banking operations shall be located, which are not authorized by a charter from the Legislature of this State.

The bill to compel Executors to give security, was on its 2d reading, indefinitely postponed.

Wednesday, Dec. 5.

David E. Sumner, the Senator from Hertford County, elected in the place of John Felton, dec. appeared and took his seat.

On motion of Mr. Vanhook, a Resolution was passed instructing the Committee on Claims to enquire into the expediency

of allowing George Williamson, Sheriff of Caswell, such sums of money as may be due him for insolvent taxables for 1817, 18 and 19.

Thursday Dec 6.

Three balloting took place to-day for Governor. In the first, Holmes had 85 votes, Mebane 59, and Burton 38. In the 2d Holmes had 92, Mebane 63, Burton 29. In the last, Holmes had 106 votes, Mebane 65, and Burton 13. Gen. Gabriel Holmes having a majority, was declared duly elected.

The following bills were presented:

By Mr. Bray a bill to repeal an act passed in 1797 to amend an act passed in 1798, making compensation to the owners of outlawed and executed Slaves for the counties of Bladen, Halifax, Granville, Cumberland, Perquimans, Beaufort and Pitt, as far as respects Batham county;

Mr. Miller, a bill to incorporate Midway Academy, on the lands of the Rev. Charles A. Hill, in Franklin County; also a bill more effectually to compel payment from the officers therein mentioned of monies by them collected, or received by virtue or under colour of their office;

Mr. Daniel, a bill providing further punishment for harbouring or maintaining runaway slaves. Which bills passed their first reading.

On motion of Mr. Beard, the committee on Internal Improvements, were instructed to enquire into the expediency of appropriating a sufficient sum of money for the purpose of purchasing the interest of the present proprietors of the turnpikes in Buncombe county.

On motion of Mr. Hatch, the Judiciary committee were instructed to enquire into the expediency of amending the laws relative to runaway slaves, so far as respects the outlawry of such slaves.

Several bills received their second and third readings.

HOUSE OF COMMONS.

Friday, Nov. 30.

By Mr. M'Leod, a bill to amend and explain an act to prevent burning the woods.

Mr. Slade a bill to alter the time of holding the Superior Court for Martin county.

Mr. Morehead, a bill to alter the act of 1741, respecting usury.

These bills passed their first readings—the latter one was ordered to be printed.

The House adopted a Resolution, on motion of Mr. Stanley, requiring all resolutions where money is claimed, to be read three times.

The Judiciary committee were instructed to enquire into the expediency of so altering the Supreme Court Law, as to prevent issuing of executions for more than its own costs upon judgments rendered by it.

The bill to repeal the act of last session providing for the payment of costs, when a slave is convicted of a capital crime, was read the 2d time; when

Mr. Hillman moved to postpone it indefinitely, and stated his reasons. The motion was disagreed to.

The bill passed its 2d reading 76 to 46.

Saturday, Dec. 1.

Mr. Strange presented a bill to repeal an act of last session, concerning the marriage of infant females. Each read the first time.

The bill to explain and amend the Act to prevent the burning the Woods, was read the second time and rejected.

The bill respecting orphans, and the Bill to extend the time for registering Grants, &c.—each passed their 2d readings.

A Report from B. Daniel, Adjutant General of this State, was received and read. The number of Militia of the State agreeably to the returns received, is 41,873—But the Adjutant General is conscious that there is great incorrectness in the returns, as the Census of 1820 gives us 66,000 men between the ages of 18 and 45.

The bill was read proposing to reduce the price of vacant Lands from ten to five cents. The reduction was opposed by Mr. Stanley, and was advocated by Mr. Henry, M'Neil, and B. Collins, the latter of whom called for the yeas and nays.

The House refused to reduce the price by a vote of 72 to 47, and rejected the bill. So the price remains at 10 cents.

Mr. Stanley from the Judiciary Committee, reported a bill to explain and amend the act of last session, limiting the time

within which judgments before Justices of the Peace may be revived.

Mr. Stanley, from the Judiciary Committee, reported a bill to repeal part of the act of 1818, respecting the Supreme Court. Passed its first reading. [Contemplates repealing that part empowering the Governor to call in a missing Judge.]

Mr. Hillman, Chairman of the Committee of Propositions and Grievances, reported in favor of the petition of John Blackwell, of Hyde. The reports were concurred in, and a bill introduced for the relief of the latter, and read the first time.

Monday, Dec. 3.

Mr. Beard presented the memorial of sundry inhabitants of Burke, praying an extra session of the Superior Court, each year.—Referred.

On motion of Mr. Smith, of Hillsborough, the Judiciary Committee were instructed to enquire into the expediency of amending the laws establishing the Superior Courts, so that the counties of Bertie, Cumberland, Orange, Burke, Rowan, Rutherford and Halifax, shall at each term be allowed one week extra—and to enquire into the expediency of dividing the State into seven Districts. The latter clause was referred to a select joint committee, consisting of Messrs. Hillman, Stanley, J. S. Smith, Moore and Fisher.

The bill to explain the act of 1820, limiting the time in which judgments before a Justice of the Peace may be revived.

This bill passed its first reading.

On motion of Mr. Stanley, the Clerk was directed to procure from the Secretary of State five copies of the late Revised of the Laws of the State, for the use of the two Houses.

Mr. Hillman, from the committee of Propositions and Grievances, reported unfavorably to the petition of the Mayor &c. of Washington City, praying to be authorized to vend Lottery Tickets in this State.

Tuesday, Dec. 4.

in the place of Over Prince, dec'd. appeared and was qualified.

Mr. Conner, from the committee to whom the petition of Henry W. Conner was referred, reported a bill for the divorce of Henry Workman Conner and his wife Catharine, which passed its first reading.

The following bills were presented: By Mr. Fisher, a bill to incorporate the Rowan Agricultural Society;

Mr. Beall, a bill to repeal the 6th section of an act passed in 1755, for ascertaining the method of proving book debts.

Mr. Stanley, a bill directing a Court of Oyer and Terminer to be held in Craven county.

These bills passed their first reading.

Mr. Clement, a bill to divide the county of Rowan, which was referred to a select committee.

Wednesday, Dec. 5.

On motion of Mr. M'Eachen, the committee on Internal Improvement were instructed to enquire into the expediency of passing an act to appoint commissioners to superintend the public roads in this State.

Mr. Blackledge presented the petition of Walter Hanrahan and others of Beaufort county, praying for the repeal of the act of last session fixing the times of holding the Courts of said county: Ordered to lie on the table.

The bill to repeal the 6th section of an act of 1756, for ascertaining the method of proving book debts being on its 2d reading.

Mr. Martin moved to amend the bill by striking out the words one hundred dollars, the amount which a man could prove by his own oath and inserting in lieu thereof forty dollars; which was carried.

Mr. Webb then moved that the bill be indefinitely postponed. This motion was negatived 91 to 32 votes.

The bill then passed its 2d reading.

Thursday Dec. 6.

Mr. Blackledge presented two petitions on the subject of repealing the act of last session respecting battalion musters.

On motion of Mr. Hawks, it was resolved that a standing committee be appointed whose duty it shall be to enquire whether the injunction of the Constitution requiring the establishment of Schools by the Legislature for the convenient instruction of youth has been properly respected by the Legislature; that said committee report, from time to time, such plans for carrying such requisition into effect as

they may deem expedient, and within the power of the State.

Messrs. M'Dowell, Hoke, Fisher, Morehead, Barringer, J. S. Smith, Manning, Brice, Hawks, Blackledge, Moore, Waddell, A. M'Neil and Boykin, were named in this committee.

The following bills were presented: By Mr. Morehead, a bill authorising the recording of marriage licences.

Mr. Beall, a bill to alter the method of proving book accounts.

Mr. Alston a bill to continue in force for one year an act authorising a lottery for Farmwell Grove Academy.

Mr. Daniel, a bill to prevent obstructions to the passage of fish up Tranter's Creek; and a bill to repeal part of an act passed at last session respecting Pitt and Beaufort county courts.

These bills passed their first reading.

Mr. J. S. Smith presented a Report from Judge Potter, as superintendent of the printing of the new Revised of the Laws of the State, which was referred to a select joint committee; and

A message was received from the Governor, covering a Statement from the contractors for the printing of the Revised, in relation to its having greatly extended the estimate originally made of its size, which was referred to the same committee.

Congress of the U. States.

IN THE SENATE.

Monday, Dec. 3, 1821.

This being the day appointed by the Constitution for the commencement of the first Session of the Seventeenth Congress, the two Houses assembled in their respective Chambers at the Capitol.

A quorum being present:— On motion, a committee was ordered to be appointed jointly with such committee as should be appointed by the House of Representatives, to wait on the President of the United States, and inform him that the two Houses were assembled and ready to have to make.

On balloting for the committee, Messrs. MASON, of North Carolina, and KING, of New York, were chosen;

And the Senate adjourned.

HOUSE OF REPRESENTATIVES.

At twelve o'clock the Clerk of the House of Representatives, Mr. Thomas Dougherty, took his place, and called the roll of members, pursuant to usage.

A large majority of the Members being present, the Clerk pronounced that a quorum was assembled for the transaction of business.

On motion, the House then proceeded to the choice of a Speaker.

Messrs. Newton, of Virginia, and Nelson, of Massachusetts, were appointed Tellers.

There were seven unsuccessful ballotings this day.—The contest was chiefly between J. W. Taylor, of New York and C. A. Rodney, of Delaware.

On motion of Mr. Rogers, of Pennsylvania, the House then adjourned.

MIDWAY ACADEMY.

THE Revd. C. A. HILL A. M. having purchased a plantation with suitable buildings, thereon near the middle ground between Warrenton and Louisburg, will open a Boarding School on the first day of January next, at the low price of one hundred dollars per annum for board and tuition and no extra charges.

The high character sustained by the Warrenton Academy while under his direction, the repeated publications of the Trustees at the different Examinations, and his success in preparing his pupils for an admission into their respective classes at College are deemed sufficient testimonials of his skill, qualifications and attention as a Teacher.

It is required that one half of the Board and Tuition should be paid in advance, and the other half at the end of the year.

October 20, 1821—11331.

THE FOLLOWING

BLANKS

are constantly kept on hand, and for sale at the Printing Office.

Powers of Attorney; Bills of Lading neatly printed in the Letter form; common do. Sheriff's Bills of Sale and Deeds; Deeds of Conveyance from one individual to another; Coasting Manifests; Bills of Sale for vessels (Registered and Enrolled); Attachments, &c. Bonds, Warrants, Seamen's Articles, &c.



WASHINGTON, N. C.

FRIDAY, DECEMBER 14, 1821.

To CORRESPONDENTS.—A" came to hand to-day for this publication.—It will be attended to next week.

Thomas W. Russell, a young man belonging to Musgraveborough, this State, was lost from the yard arm of the Sch. Evergreen, on Monday morning last, off the Bar, in a severe blow, owing to the parting of the lift.—It being very dark, and a severe gale at the time, it was impossible to save him.—R. R. Books

The balloting committee for a Governor had eight trials before the requisite majority was obtained.—the eighth resulted in the choice of Gen. GABRIEL HOLMES of Sampson County.—For the three last ballottings, see under date of 6th inst. proceedings of the Senate.

FOR THE RECORDER.

MR. EDITOR.—I think your correspondent "Justice" but badly entitled to the signature he has selected, while he fitches so liberally from "Junius" and the "Bard of Avon," attempting to palm it upon us poor ignoramus as his own composition, which is sufficiently elegant, to enable him to dispense with the aid of deceased authors and that he may plead guiltless to the crying sin of Plagiarism!

Little A.

P. P. Barbour, Esq. one of the Representatives from Virginia, is elected Speaker of the House of Representatives, after 12 ballottings.

General Jackson has resigned his office of Governor of Florida.

WASHINGTON CITY, DEC. 5.

At 12 o'clock this day, the President of the United States transmitted to both Houses of Congress, by Mr. S. L. GORHAM, the following

MESSAGE:

Fellow-Citizens of the Senate,

and of the House of Representatives,

The progress of our affairs since the last claimed and expected, under a government deriving all its powers from an enlightened people, and under laws formed by their representatives, on great consideration, for the sole purpose of promoting the welfare and happiness of their constituents. In the execution of those laws, and of the powers vested by the constitution in the executive, unremitting attention has been paid to the great objects to which they extend. In the concerns which are exclusively internal, there is good cause to be satisfied with the results. The laws have had their due operation and effect. In those relating to foreign powers, I am happy to state, that peace and amity are preserved with all, by a strict observance, on both sides, of the rights of each. In matters touching our commercial intercourse where a difference of opinion has existed, in any case, as to the conditions on which it should be placed, such party has pursued its own policy, without giving just cause of offence to the other. In this annual communication, especially when it is addressed to a new Congress, the whole scope of our political concerns naturally comes into view; that errors, if such have been committed, may be corrected; that defects, which have become manifest, may be remedied; and on the other hand, that measures which were adopted on due deliberation, and which experience has shown are just in themselves, and essential to the public welfare, should be persevered in & supported. In performing this necessary and very important duty, I shall endeavor to place before you, on its merits, every subject that is thought to be entitled to your particular attention in as distinct and clear a light as I may be able.

By an act of the 3d of March, 1815, so much of the several acts as imposed higher duties on the tonnage of foreign vessels, and on the manufactures and productions of foreign nations, when imported into the United States in foreign vessels, than when imported in vessels of the United States, were repealed, so far as respected the manufactures and productions of the nation to which such vessel belonged, on the condition, that the repeal should take effect only in favor of any foreign nation, when the Executive should be satisfied that such discriminating duties, to the disadvantage of the United States, had likewise been repealed by such nation. By this act a proposition was made to all nations to place our commerce with each on a basis, which, it was presumed, would be acceptable to all. Every nation was allowed to bring its

manufactures and productions into our ports, and to take the manufactures and productions of the United States back to their ports, in their own vessels, on the same conditions that they might be transported in vessels of the United States; and, in return, it was required, that a like accommodation should be granted to the vessels of the United States in the ports of other powers. The articles to be admitted, or, prohibited, on either side, formed no part of the proposed arrangement. Each party would retain the right to admit or prohibit such articles, on its own conditions.

When the nature of the commerce between the U. States and every other country was taken into view, it was thought that his proposition would be considered fair, and even liberal, by every power. The exports of the United States consist generally of articles of the first necessity, and of rude materials in demand for foreign manufactures, of great bulk, requiring for their transportation many vessels, the return for which, in the manufactures and productions of any foreign country, even when disposed of there to advantage, may be brought in a single vessel. This observation is more especially applicable to those countries from which manufactures alone are imported, but it applies, in a great extent, to the European dominions of every European power, and, in a certain extent, to all the colonies of those powers. By placing, then, the navigation precisely on the same ground, in the transportation of exports and imports, between the United States and other countries, it was presumed that all was offered which could be desired. It seemed to be the only proposition which could be devised, which would retain even the semblance of equality in our favor.

Many considerations of great weight gave us a right to expect that this commerce should be extended to the colonies, as well as to the European dominions, and other powers. With the latter, especially with countries exclusively manufacturing, the advantage was manifestly on their side. An indemnity for the loss was expected from a trade with the colonies, and, with the greater reason, as it was known that the supplies which the colonies derived from us were of highest importance to them, their labor being bestowed with so much greater profit in the culture of other articles; and because, likewise, the articles of which those supplies consisted, forming so large a proportion of the exports of the United States, were never admitted into any of the ports of Europe except in cases of great emergency, to avert a serious calamity. When no article is admitted which is not required to supply the wants of the party admitting, it, and admitted then, not in favor of any particular country, to the disadvantage of others, but on conditions equally applicable to all, it seems just that the articles thus admitted and invited should be carried thither in the vessels of the country affording such supply, and that the reciprocity should be found in a corresponding accommodation on the other side. By allowing each party to participate in the transportation of such supplies, on the payment of equal tonnage, a strong proof was afforded of an accommodating spirit. To abandon to the transportation of the whole would be a sacrifice which ought not to be expected. The demand, in the present instance, would be the more unreasonable, in consideration of the inequality existing in the trade with the parent country.

Such was the basis of our system, as established by the act of 1815, and such its true character. In the year in which this act was passed, a treaty was concluded with Great Britain, in strict conformity with its principles, in regard to her European dominions. To her colonies, however, in the West Indies, and on this continent, it was not extended; the British Government claiming the exclusive supply of those colonies, and from our own ports, and of the productions of the colonies in return, in her own vessels. To this claim the United States could not assent, and, in consequence, each party suspended the intercourse in the vessels of the other, by a prohibition, which still exists.

The same conditions were offered to France, but not accepted. Her Government has demanded other conditions, more favorable to her navigation, and which should also give extraordinary encouragement to her manufactures and productions, in the ports of the United States. To these it was thought improper to accede, and, in consequence, the restrictive regulations, which had been adopted on her part, being counterbalanced on the part of the United States, the direct commerce, between the two countries, in the vessels of each party, has been in a great measure suspended. It is much to be regretted that, although a negotiation has been long pending, such is the diversity of views entertained on the various points, which have been brought into discussion, that there does not appear to be any reasonable prospect of its early conclusion.

It is my duty to state, as a cause of very great regret, that very serious differences

have occurred, in this negotiation, respecting the construction of the 8th article of the Treaty of 1803, whereby Louisiana was ceded to the United States, and likewise respecting the seizure of the Apollo, in 1820, for a violation of our revenue laws. The claim of the Government of France has excited not less surprise than concern because there does not appear to be a just foundation for it, in either instance. By the 8th article of the Treaty referred to, it is stipulated that, after the expiration of twelve years, during which it was provided, by the preceding or 7th article, that the vessels of France and Spain should be admitted into the ports of the ceded Territory, without paying higher duties on merchandise, or tonnage on the vessels, than such as were paid by citizens of the United States, the ships of France should forever afterwards be placed on the footing of the most favored nations. By the obvious construction of this article, it is presumed that it was intended, that no favor should be granted to any power, in those ports, to which France should not be forthwith entitled; nor should any accommodation be allowed, to another power, on conditions, to which she would not also be entitled upon the same conditions. Under this construction, no favor, or accommodation, could be granted, to any power, to the prejudice of France. By allowing the equivalent, allowed by those powers, she would always stand, in those ports, on the footing of the most favored nation. But if this article should be so construed, as that France should enjoy, of right, and without paying the equivalent, all the advantages of such conditions, as might be allowed to other powers, in return for important concessions made by them, then the whole character of the stipulation would be changed. She would not be placed on the footing of the most favored nation, but on a footing held by no other nation. She would enjoy all the advantages allowed to them, in consideration of like advantages allowed to us, free from every, and any, condition, whatever.

As little cause has the Government of France to complain, of the seizure of the Apollo, and the removal of other vessels, from the waters of the St. Mary's. It will not be denied, that every nation has a right to regulate its commercial system, as it thinks fit, and to enforce the collection of its revenue, provided it be done, without an invasion of the rights of other powers. The violation of its revenue laws is an offence, which all nations punish—the punishment of which, gives no just cause of complaint, to the power to which the offenders belong, provided it be extended to all equally. In this case, however, circumstances which occurred, indicated a fixed purpose to violate our revenue laws. Had the party intended to have pursued a fair trade, he would have entered our ports, and paid the duties; or had he intended to have carried on a legitimate circuitous commerce, with the United States, he would have entered the port of some other power, landed his goods at the custom house according to law, and reshipped and sent them in the vessel of such power, or of some other power which might lawfully bring them, free from such duties, to a port of the United States. But the conduct of the party in this case was altogether different. He entered the river St. Mary's, the boundary between the United States and Florida, and took his position on the Spanish side, on which, in the whole extent of the river, there was no town, no port, or custom house, and scarcely any settlement. His purpose, therefore, was not to sell his goods to the inhabitants of Florida, but to citizens of the U. S. States, in exchange for their productions, which could not be done without a direct and palpable breach of our laws. It is known that a regular systematic plan had been formed by certain other persons for the violation of our revenue system, which made it the more necessary to check the proceeding in its commencement.

That the unsettled bank of a river so remote from the Spanish garrisons and population could give no protection to any party, in such a practice, is believed to be in strict accord with the law of nations. It would not have comported with a friendly policy, in Spain herself, to have established a custom house there, since it could have subverted no other purpose, than to elude our revenue laws. But the Government of Spain did not adopt that measure. On the contrary, it is understood, that the Captain General of Cuba, to whom an application to that effect was made, by these adventurers, had not acceded to it. The condition of those provinces for many years before they were ceded to the U. States, need not now be dwelt on. Inhabited by different tribes of Indians, and no inland territory of any kind of advantage; the jurisdiction of Spain may be said to have been, almost exclusively, confined to her garrisons. It certainly could not extend to places, where she had no authority. The rules therefore, applicable to settled countries, governed by laws, could not be deemed so, to the deserts of Florida, and to the occurrences there. It merits attention, also, that the Territory had been ceded to the United States, by a treaty, the ratification of which had not been refused, and which has since been performed. Under such circumstances, therefore, Spain became less responsible for such acts committed there, and the United States more at liberty to exercise authority, to prevent so great a mischief. The conduct of the Government has, in every instance, been conciliatory and friendly to France. The construction of our revenue law, in its application to the cases, which have formed the ground of such serious complaint on her part, and the order, to the Collector of St. Mary's, in accord with it, were given two years before these cases occurred, and in reference to a breach, which was attempted by the subjects of another power. Its application, therefore, to the cases in question, was inevitable. As soon as the treaty, by which these provinces were ceded to the United States, was ratified, and all dangers of further breach of our revenue laws ceased, an order was given for the release of the vessel, which had been seized, and for the dismissal of the libel, which had been instituted against her.

The principles of this system of reciprocity, founded on the law of the 3d of March 1815, have been since carried into effect, with the Kingdom of the Netherlands, Sweden, Prussia, and with Hamburg, Bremen, Lubeck, and Oldenburg, with a provision made by subsequent laws, in regard to the Netherlands, Prussia, Hamburg, and Bremen, that such produce and manufactures, as could only be, or most usually were, first shipped from the ports of those countries, the same being imported in vessels, wholly belonging to their subjects, should be considered and admitted as their own manufactures and productions.

The Government of Norway has, by an ordinance, opened the ports of that part of the dominions of the King of Sweden, to the vessels of the United States, upon the payment of no other or higher duties, than are paid by the Norwegian vessels, from whatever place arriving, and with whatever articles laden. They have requested the reciprocal allowance for the vessels of Norway in the ports of the United States. As this privilege is not within the scope of the act of the 3d of March, 1815, and can only be granted by Congress; and as it may involve the commercial relations of the Union with other nations, the subject is submitted to the wisdom of Congress.

I have presented thus fully to your view our commercial relations with other powers, that, seeing them in detail with each power, and knowing the basis on which they rest, Congress may in its wisdom decide, whether any exchange ought to be made, and, if any, in what respect. If the basis is unjust or unreasonable, surely it ought to be abandoned; but if it be just and reasonable, and any change in it will make concessions subversive of the principles of equality, and tending in its consequences to sap the foundations of our prosperity, then the reasons are equally strong, for adhering to the ground already taken, and supporting it by such further regulations as may appear to be proper, should any additional support be found necessary.

The question concerning the construction of the first article of the treaty of Ghent, has been, by a joint act of the Representatives of the United States, and of Great Britain, at the court of St. Petersburg, submitted to the decision of his Imperial Majesty, the Emperor of Russia. The result of that submission has not yet been received. The Commissioners under the 5th article of that treaty not having been able to agree upon their decision, their reports to the two Governments, conformably to the provisions of the treaty, may be expected at an early day.

With Spain, the treaty of February 22d, 1819, has been partly carried into execution. Possession of East and West Florida has been given to the United States, but the officers charged with that service, by an order from his Catholic Majesty, delivered by his Minister to the Secretary of State, and transmitted by a special agent to the Captain General of Cuba, to whom it was directed, and in whom the government of those provinces was vested, have not only omitted, in contravention of the orders of their sovereign, the performance of the express stipulation, to deliver over the archives and documents relating to the property and sovereignty of those provinces, all of which it was expected would have been delivered, either before or when the troops, were withdrawn, but defeated, since, every effort of the United States to obtain them, especially those of the greatest importance. This omission has given rise to several incidents of a painful nature, the character of which will be fully disclosed, by the documents which will hereafter be communicated.

In every other circumstance the law of the 3d of March last, for carrying into effect that treaty has been duly attended to. For the execution of that part which preserved in force, for the government of the inhabitants, for the term specified, all the civil, military, and judicial powers, exercised by the existing government of those provinces, an adequate number of officers, as was presumed, were appointed and ordered to their respective stations. But

...ices were formed into one territory...
...and a governor appointed for it...
...consideration of the pre-existing division...
...of the distance and difficulty of communication...
...between Pensacola, the residence of the Governor of West Florida...
...and St. Augustine, that of the Governor of East Florida...
...at which place, the incon- siderable population of each province was collected...
...two Secretaries were appointed, one to reside at Pensacola, and the other at St. Augustine...
...Due attention was like- wise paid to the execution of the laws of the United States relating to the revenue, and the slave trade, which were extended to the provinces...
...The whole territory was divided into three collection districts, that part lying between the river St. Mary, and Cape Florida forming one, that from the Cape to the Apalachicola, another, and that from the Apalachicola to the Perdido, the third...
...To these districts, the usual number of revenue officers were appointed, and, to secure the due operation of these laws, one judge and a district attorney were appointed to reside at Pensacola, and likewise one judge and a district attorney to reside at St. Augustine, with a specified boundary between them—and one marshal for the whole, with authority to appoint a deputy...
...In carrying this law into effect, and especially that part of it relating to the powers of the existing government of those provinces, it was thought important, in consideration of the short term for which it was to operate, and the radical change which would be made at the approaching session of Congress, to avoid expense, to make no appointment which should not be absolutely necessary to give effect to those powers, to withdraw none of our citizens from other pursuits, whereby to subject the government to claims which could not be gratified, and the parties to losses which it would be painful to witness...
...I have been seen, with much concern, that in the performance of these duties, a collision arose between the Governor, of the territory, and the judge appointed for the western district...
...It was presumed, that the law under which his transitory government was organized, and the commissions which were granted to the officers who were appointed to execute each branch of the system, and to which the commissions were adapted, would have been understood in the same sense by them in which they were understood by the Executive...
...Much allowance is due to officers employed in each branch of this system, and the more so, as there is good cause to believe that each acted under a conviction that he possessed the power which he undertook to exercise...
...Of the officer, holding the principal station, I think it proper to observe that he accepted with reluctance, in compliance with the commission given him, and from a high sense of duty to his country, being willing to contribute to the consummation of an event, which would ensure complete protection to an important part of our Union, which had suffered much from incursion and invasion, and to the defence of which his very gallant and patriotic services had been so signally and usefully devoted...
...From the intrinsic difficulty of executing laws deriving their origin from different sources, and so essentially different in many important circumstances, the advantages, and, indeed, the necessity of establishing, as soon as may be practicable, a well organized government over that territory, on the principles of our system, is apparent...
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...As soon as they do arrive, corresponding appointments will be made, and every facility be afforded for the due execution of this service...
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...It may therefore be presumed, and it is earnestly hoped, that the government of Spain, guided by enlightened and liberal counsels, will find it to comport with its interests and due to its magnanimity, to terminate this exhausting controversy on that basis...
...To promote this result by friendly counsel with the government of Spain, will be the object of the government of the United States...
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...There has been issued under the provisions of this act, four millions seven hundred and thirty-five thousand two hundred and ninety-six dollars and thirty cents of five per cent stock—and there has been, or will be redeemed during the year, three millions one hundred and ninety seven thousand and thirty dollars seventy-one cents of Louisiana six per cent deferred stock, and Mississippi stock...
...There has, therefore, been an actual increase of the public debt, contracted during the year, of one million five hundred and thirty-eight thousand two hundred and sixty six dollars sixty nine cents...
...The receipts into the Treasury from the 1st January to the 30th September last, have amounted to sixteen millions two hundred and nineteen thousand one hundred and ninety seven dollars seventy cents, which, with the balance of one million one hundred and ninety eight thousand four hundred and sixty one dollar twenty one cents in the Treasury on the former day, make the aggregate sum of seventeen millions four hundred and seven thousand six hundred and fifty eight dollars ninety one cents...
...The payments from the Treasury during the same period have amounted to fifteen millions six hundred and fifty eight thousand two hundred and eighty eight dollars forty seven cents, leaving in the Treasury on the last mentioned day, the sum of one million seven hundred and sixty two thousand three hundred and seventy two dollars forty four cents...
...It is estimated that the receipts of the fourth quarter of the year will exceed the demands which will be made on the Treasury during the same period, and that the amount in the Treasury on the 30th September last, will be increased on the first day of Jan. next...
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...It has, however, been ascertained, that that point was reached only at the termination of the first quarter of the present year...
...From that time, until the 30th September last, the duties secured have exceeded those of the corresponding quarters of the last year, one million one hundred and seventy two thousand dollars, whilst the amount of debentures issued during the three first quarters of this year, is nine hundred and fifty two thousand dollars less than that of the same quarters of the last year...
...There are just grounds to believe that the improvement which has occurred in the revenue during the last mentioned period, will not only be maintained, but that it will progressively increase through the next and several succeeding years, so as to realize the results, which were presented upon that subject, by the official reports of the Treasury, at the commencement of the last session of Congress...
...Under the influence of the most favorable circumstances, the revenue for the next and subsequent years, to the year 1835 will exceed the demands at present authorized by law...
...It may fairly be presumed, that, under the protection given to domestic manufactures, by the existing laws, we shall become, at no distant period, a manufacturing country, on an extensive scale...
...Possessing, as we do, the raw materials in such vast amount, with a capacity to augment them to an indefinite extent; raising within the country almost of every kind, to an amount far exceeding the demand, for home consumption, even in the most unfavorable year, and to be obtained always at a very moderate price; skilled as our people are in the mechanic arts, and in every improvement calculated to

lessen the demand for, and the price of labor, it is manifest that their success, in every branch of domestic industry, may, and will be carried, under the encouragement given by the present duties, to an extent to meet any demand, which, under a fair competition, may be made on it...
...A considerable increase of domestic manufactures, by diminishing the importation of foreign will tend to lessen the amount of the public revenue...
...As, however, a large proportion of the revenue, which is derived from duties, is raised from other articles than manufactures, the demand for which will increase with our population, it is believed, that a fund will still be raised from that source, adequate to the greater part of the national expenditures, especially as those expenditures, should we continue to be blessed with peace, will be diminished by the completion of the fortifications, dock yards and other public works; by the augmentation of the navy to the point to which it is proposed to carry it, and by the payment of the public debt, including pensions for military services...
...It cannot be doubted, that the more complete our internal resources, and the less dependent we are on foreign powers, for every national, as well as domestic purpose, the greater and more stable will be the public felicity...
...By the increase of domestic manufactures, will the demand for the raw materials at home be increased, and thus will the dependence of the several parts of our Union on each other, and the strength of the Union itself, be proportionably augmented...
...In this process, which is very desirable, and inevitable under the existing duties, the resources which obviously present themselves to supply a deficiency in the revenue, should it occur, are the interests which may derive the principle benefit from the change...
...If domestic manufactures are raised by duties on foreign, the deficiency in the fund necessary for public purposes should be supplied by duties on the former...
...At the last session, it seemed doubtful, whether the revenue derived from the present sources would be adequate to all the great purposes of our Union, including the construction of our fortifications, the augmentation of our navy, and the protection of our commerce against the dangers to which it is exposed...
...Had the deficiency been such, as to subject us to the necessity, either to abandon those measures of defence, or to resort to other means for adequate funds, the course presented to the adoption of a virtuous and enlightened people appeared to be a plain one...
...It must be gratifying to all to know, that this necessity does not exist...
...Nothing, however, in contemplation of such important objects, which can be easily provided for, should be left to hazard...
...It is thought that the revenue may receive an augmentation from the existing sources, and in a manner to aid our manufactures, without hastening prematurely the result which has been suggested...
...It is believed, that a moderate additional duty on certain articles would have the effect, without being liable to any serious objection...
...The examination of the whole coast, for the construction of permanent fortifications from St. Croix to the Sabine, with the exception of a part of the territory lately acquired, will be completed in the present year, as will be the survey of the Mississippi, under the resolution of the House of Representatives, from the mouth of the Ohio to the Ocean—and, likewise, of the Ohio, from Louisville to the Mississippi...
...A progress, corresponding with the sums appropriated, has also been made in the construction of these fortifications, at the points designated...
...As they will form a system of defence, for the whole maritime frontier, and, in consequence, for the interior, and are to last for ages, the utmost care has been taken to fix the position of each work, and to form it on such a scale, as will be adequate to the purpose intended by it...
...All the inland and available parts of our Union have been minutely examined, and positions taken, with a view to the best effect, observing, in every instance, a just regard to economy...
...Doubts, however, being entertained, as to the propriety of the position and extent of the work at Dauphin Island, further progress in it was suspended, soon after the last session of Congress, and an order given to the Board of Engineers and Naval Commissioners, to make a further and more minute examination of it, in both respects, and to report the result without delay...
...Due progress has been made in the construction of vessels of war, according to the law providing for the gradual augmentation of the navy; and to the extent of existing appropriations...
...The vessels authorized by the act of 1820 have all been completed, and are now in actual service...
...None of the larger ships have been, or will be, launched, for the present, the object being to protect all which may not be required for immediate service from decay, by suitable buildings erected over them...
...A squadron has been maintained, as heretofore, in the Mediterranean, by means whereof peace has been preserved with the Barbary powers...
...This squadron has been reduced the present year to as small a force as is compatible with the fulfilment

of the object intended by it...
...From past experience, and the best information respecting the views of those powers, it is distinctly understood, that should our squadrons be withdrawn, they would soon recommence their hostilities and depredations upon our commerce...
...Their fortifications have lately been rebuilt, and their maritime force increased...
...It has also been found necessary to maintain a naval force in the Pacific, for the protection of the very important interests of our citizens engaged in commerce and the fisheries in that sea...
...Vessels have likewise been employed in cruising along the Atlantic coast, in the Gulf of Mexico, on the coast of Africa, and in the neighboring seas...
...In the latter, many piracies have been committed on our commerce, and so extensive was becoming the range of those unprincipled adventurers, that there was cause to apprehend, without a timely and decisive effort to suppress them, the worst consequences would ensue...
...Fortunately, a considerable check has been given to that spirit by our cruisers, who have succeeded in capturing and destroying several of their vessels...
...Nevertheless, it is considered an object of high importance to continue these cruises until the practice is entirely suppressed...
...Like success has attended our efforts to suppress the slave trade...
...Under the flag of the United States, and the sanction of their papers, the trade may be considered as entirely suppressed; and, if our citizens are engaged in it, under the flags and papers of other powers, it is only from a respect to the rights of those powers, that these offenders are not seized and brought home, to receive the punishment which the laws inflict...
...If every other power should adopt the same policy, and pursue the same vigorous means for carrying it into effect, the trade could no longer exist...
...Deeply impressed with the blessings which we enjoy, and of which we have such manifold proofs, my mind is irresistibly drawn to that Almighty Being, the Great Source from whence they proceed, and to whom our most grateful acknowledgments are due...
...JAMES MONROE.
Washington, Dec. 3, 1831.
MARRIED
Last evening, by J. G. Blount, Esq. Mr. SAMUEL LATHAM to the amiable Miss MARY ANN TROTTER, eldest daughter of Thos. Trotter, Esq. of this vicinity...
When kindred souls together meet,
The union must and will be sweet.
MARINE INTELLIGENCE.
From the Reading Room Books.
ARRIVED—Sloop Cordelia, Cook, N. York; Sch. Britannia, Guthrie, N. Y.; Sch. Alert, Wallace, Baltimore; Sch. Carpenter's Son, Williams, N. Y.; Sch. Evergreen, Drummond, Charleston.
CLEARED—Sch. Phoenix, Kelly, N. York; Sch. Franklin, Austin, N. York.
Just Landed from Sch. General Jackson, 18000 lb. white pine Boards, 60 casks of Lard, 400 bus. Irish Potatoes, 12 bbls. N. E. Rum, A quantity of Codfish.
INSTORE,
9 bbls. N. E. Rum, 7 doz. St. Croix Do. 3d proof, 4 doz. Chairs, 5 bbls. Apples, Trunks or Ladies & Gent. Shoes, A few bags of fine Salt.
N. J. OLIVER.
Dec. 14, 1831—1w.
Lost
THIS morning, a Note of Hand drawn by Benj. M. Selby for Fifty-nine dollars or thereabouts, payable to Clinton Tooley of Hyde County. The above described note has a credit—the amount not recollecting.
This is to forwarn all persons from trading for said Note, and the Drawer from paying the same to any person except myself.
JOS. S. MAYE.
Dec. 14, 1831. 3w
WE the undersigned beg leave to acquaint the public that we have this day entered into Partnership in the Tanning, Currying and Cordwaining Businesses.
JOHN BRINDLEY, JAMES HERST.
Washington, Dec. 4, 1831.
BRINDLEY & HERST offer for sale at their Store in Washington, or at their Tannery lately occupied by Robert Roff, SOAL & UPPER LEATHER, Wax and Grain CALF SKINS, DEER & SHEEP SKINS. Also a large assortment of Boots and Shoes, for which will be received in payment, Bark, Hides, or Skins.
N. B. Leather tanned on the usual terms, and Cash will be paid for Hides, Skins or Bark.
if 335
Advertisements gradually omitted this week, shall have a place next.

...ices were formed into one territory...
...and a governor appointed for it...
...consideration of the pre-existing division...
...of the distance and difficulty of communication...
...between Pensacola, the residence of the Governor of West Florida...
...and St. Augustine, that of the Governor of East Florida...
...at which place, the incon- siderable population of each province was collected...
...two Secretaries were appointed, one to reside at Pensacola, and the other at St. Augustine...
...Due attention was like- wise paid to the execution of the laws of the United States relating to the revenue, and the slave trade, which were extended to the provinces...
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POETRY.

THE THREE SIGHS.

On Sorrow, Hope and Bliss.

Near yonder cliff there stands a cot,
Long favor'd by the foaming tide;
When Edward left the much lov'd spot,
With parting kiss fair Mæbe sigh'd—
With Edward's presence blest to-day,
"But sad will be to-morrow;
"Ade! ade!" she scarce could say,
And heav'd the sigh of sorrow.

Some months had pass'd in silent grief,
When Reason's voice resum'd its way;
She knew complaint ne'er gave relief,
So grew resign'd from day to day.
Oft from the cliff she'd plaintive cry—
"He may return to-morrow!"
While thus she sang, Hope's rising sigh
Reliev'd the sigh of Sorrow.

And now the vessel homeward steer'd,
She saw the well known token wave—
(The faithful sight her bosom cheer'd)
The token she at parting gave.
Fond Edward cried with ardent kiss,
"Thou shalt be mine to-morrow!"
While thus he spake, the sigh of Bliss
Dispell'd the sigh of Sorrow.

The way they do things in Pen Yan.—Mr. Abner Pierce, of Pen-Yan, N. Y. had been "posed" according to law, as an "habitual drunkard." He appeals—a Jury called—three witnesses testify that they had seen him almost daily for the past year; that they had seen him "merry" "well to live," "pretty well cock'd," &c. but they had not seen him so drunk that he could not stand up. On the part of the prosecution, five witnesses testify that they had seen him frequently drunk—so much so that he was unable to attend to business. The jury, after being absent about an hour, brought in a verdict that they did not consider a man an habitual drunkard unless he was drunk more than half the time! Mr. Pierce was accordingly acquitted. *Geneva Palladium.*

Lord William Poulett, though often chairman of committees of the British House of Commons, was a great dunce, and could scarce read. Being to read a bill for naturalizing Jemima, duchess of Kent, he called her Jeremiah, duchess of Kent.

Having heard south walls commended for ripening fruit, he showed all the four sides of his garden for south walls.

A gentleman writing to desire a fine horse he had, offered him any equivalent. Lord William replied, that the horse was at his service, but he did not know what to do with an elephant.

A pamphlet, called the 'Snake in the Grass,' being reported (probably in joke) to be written by this Lord William Poulett, a gentleman, abused in it, sent him a challenge. Lord William professed his innocence, and that he was not the author; but the gentleman would not be satisfied without a denial under his hand. Lord William took a pen and began, 'This is to satisfy, that the book called the snake—' 'Oh, my lord, (said the person) I am satisfied; your lordship has already convinced me you did not write the book.' *[Walpole.]*

OUR ANCESTORS IDOLATERS.

Our ancestors, on the Island of Great Britain, worshipped idols, and even sacrificed their sons and daughters. They had not heard the name of Jesus, and lived and died as pagans now do, without hope. No christian church was found in any of their cities and villages. They had no christian ministry.

The cruel Druids were their priests, and they revered no God but the sun, moon, or some hideous image.—To the savage rites of the Druidical worship succeeded the abominable idolatry of pagan Rome. Temples were now erected to their numerous deities. "In Scotland stood the temple of Mars; in Cornwall the temple of Mercury; in Bangor the temple of Minerva; at Malden the temple of Victoria; at Bath the temple of Apollo; at Leicester the temple of Janus; at York, where St. Peter's church now stands, the temple of Bellona; in London, on the site of St. Peter's cathedral, the temple of Diana; at Westminster, where the Abbey rears its venerable pile, the temple of Apollo."

What put in train that course of events, which has shed such a flood of light on their posterity, and so changed the state of things? The answer is short, but true. It was the patient and persevering labors of Missionaries.—Freely ye have received, freely give.

SETTLEMENT OF THE STATES.

New York was first settled by the Dutch about the year 1614, and bore the name of the New-Netherlands until the year 1664 when it was surrendered to the English, who changed its name to that which it now bears.

N. Jersey was also settled by the Dutch about the same time, was afterwards (in the year 1627) taken possession of by a number of Swedes and Fins, and in 1664 granted to the Duke of York, by Charles II.

In 1623 New Hampshire was settled, and erected into a separate government in 1679; and in the year 1637 Delaware began to be settled by the Swedes and Fins. Maryland was granted to Lord Baltimore by charter in 1733, and the settlement commenced the following year.

Rhode Island, which was excluded from the confederacy of the New-England states, began to be settled in the year 1693.

In 1664, South Carolina was granted to Lord Clarendon by patent, and settled in 1679 by Governor Sayle.

About the year 1680, William Penn obtained a charter for Pennsylvania, and settled it with a colony of Quakers in 1682, and the building of Philadelphia commenced the following year.

In the year 1709, a number of intelligent Palatines commenced the settlement of North Carolina, which was erected into a separate government in 1720.

Georgia was settled in 1732, by General Oglethorpe.

Vermont, (then part of New York,) was settled by emigrants from different parts of New-England, about the year 1700.

LETTER FROM FRANCE.

Extract of a letter from an intelligent American in Paris, to his friend in N. York, dated July 26, 1821.

It is astonishing how destitute of talents are most of the cabinets of Europe. The crowned heads are, without one single exception, weak personages, and it appears they prefer those of their own standard as ministers to more prominent men. We see no Pitts, Talleyrands, or Fox's employed about them; and nothing terrifies these sovereigns so much as to hear of the extension of the human intellect, the lights of the age, &c. He who dares mention the *frivolous* subject to them, is sure to get into disgrace. They are great strickers for the church; and in France the Roman Catholic priests, under their auspices, are gaining, by rapid strides, somewhat of their former power. I was present, a few evenings ago, at a political conversation between half a dozen of the leading men of the day, and I was much surprised at their opinions of men and things; they were, to be sure, ultra; of course felt themselves privileged as a sort of political school masters of the day. In speaking of the present minister of the marine for instance, who is a most estimable man, "G'est en chien de Protestant," he is a protestant dog, said a Peer. This is a term we frequently hear made use of, not only by the people, when speaking of Protestants but by the higher classes. The court, who are all very pious, even unto the Court d'Artois, (whose former sculpture and painted bed chamber at Bagatelle you, no doubt, recollect,) give the tone.

Talleyrand is talked of as prime minister; but he is getting old, and is unpopular with all parties; I therefore do not think he will go down.

Since the death of Napoleon, whom all now style the Great, people talk freely of his unrivalled powers in the cabinet and the field, and the comparisons they make are extremely odious to the royalists. The Bonaparte Family, in fact, are highly considered in France. Louis, Ex-King of Holland, lives retired; he is a man of solid acquirements, a strong mind, and virtuous habits. Lucien is a brilliant man, and perhaps the best belle lettres scholar in Europe; of Jerome, we hear and know but little; but Joseph, whom you have with you, is held as a very superior man. Bred to the law, and not a stranger to commerce, he is said to add to his great knowledge of the world, profound views on government, and to possess, in an eminent degree, all the requisites of a distinguished statesman, with great urbanity, and the unassuming manners of a polished scholar and plain gentleman; he is much respected and beloved by all his friends in Europe. Prince Eugene has confirmed the opinion early entertained of him, by his uniform gratitude and attachment to Napoleon, and the liberality to his friends, who are now, politically speaking, in the back ground. Of the females of the family, it is generally admitted, that to the great beauty most of them possess, they are all endowed with superior minds, and elegant acquirements and accomplishments. In short, they are regarded as a very extraordinary family, without one bad or weak member; and what adds to their superior worth, is their perfect union, and the warm attachment they show to each other. Contrast this enlightened family with the puny race who at present occupy the thrones of Europe, with their fanaticism, stupidity, and odious vices, and you must agree with all the wise and good on this side the water, that every day proves the fall of Napoleon to be a public calamity.

Of our country and government, the people here entertain strong notions; the

liberal reformers; the vulgar consider us an inferior race of beings, because we have no king, church, or privileged orders; and the ruling party regard us pretty much as they do original sin, the cause of all evils they have suffered in this world, for which we are finally to be punished here, and damned hereafter."—*[Nat. Adv.]*

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GEN. JACKSON & COL. CALLAVA.

PENSACOLA, Nov. 5.

We had hoped this subject was disposed of, and regret to find ourselves deceived; heretofore we have carefully abstained from any expression of opinion on the subject, nor do we intend any now, further than to reply to the following questions of the Richmond Enquirer, 3d ult.—for which we feel ourselves called on, Referring to Gov. Jackson's commitment of Col. Callava, the Enquirer asks—

"1st. Whether he might not have seized the papers in the first instance as well as the last, without touching Callava?"

"2d. Why not have confined him in his own house, as was done in the case of the latendant of New Orleans?"

"But say it was expedient to seize his person, why in the third place, rigorously doom him to an imprisonment in the common prison, the receptacle perhaps of runaway negroes and felons?—Why not have put him under a guard in the governor's office, or some public house, until the papers had been seized?—If this measure had proved too weak, then why not reserve the common prison as the *dernier resort*?"

In reply to those questions, we shall proceed to make a succinct statement of the case, referring to the official documents heretofore published, and holding ourselves responsible for every thing not covered by those documents.

Governor Jackson was officially advised, in the shape of petition, &c. from the parties, that there were papers in the hands of the late Spanish officers, mainly material to the establishment of individual claims to property within the Florida. The petition further stated, that the parties interested were fearful the papers would be carried off to the Havana, and out of the reach of the authorities in the Florida, praying relief from the governor. On this representation, the necessary investigation was entered upon, and resulted in tracing the papers in question to the house of Col. Callava. The governor sent a request that Col. Callava would deliver them over to the American officer, who was appointed to take charge of them. This being refused, the governor sent a peremptory order for their delivery—this order not being obeyed, the governor, then sitting in his judicial capacity, summoned Col. Callava to appear before him, and answer for the contempt. Col. Callava paying no respect to this summons, was immediately after surrounded by a guard and forced, into the presence of the Governor; and after two or three hours patient hearing and discussion—Colonel Callava still refusing to make any satisfactory answer as to the required documents, was duly committed for the contempt—and continued in confinement until some time the next day, when he was released. During Col. Callava's confinement, the Governor issued a search warrant to the proper person, and on proper affidavits made specifying the papers, all relating to private property—on which search the papers were found in Col. Callava's house, and then by order of the Governor, were delivered over to the proper officer.

What other course could have been pursued? Governor Jackson was called on to protect certain individuals in the enjoyment of their rights. On enquiry he found that the interposition of his authority was necessary, and he determined to extend the relief. He was compelled to resort to painful measures—but we consider him as having been driven into them by the pertinacity of Col. Callava. Had a similar case occurred any where within the United States, or here, with any other individual, would there have been any question as to the propriety of the measure? The distinction in this case is, that Col. Callava was a gentleman holding a high rank in the Spanish army, and was late Governor of this province, in which situation he had become very popular, and very deservedly so, we sincerely believe, from all we have heard. But Governor Jackson was not to be influenced by any consideration of the rank or standing of the individual, when he decided it expedient and proper to commit—he did not stop to enquire any further.—In discharge of his official duties, he pays no respect to persons, and this is his well known character. Col. Callava was committed to the military guard, with special instructions to render him every courtesy, and allow him all the comforts his situation would admit of; and this was faithfully observed by the gentlemen who had charge of the Col. He staid in the room occupied by the officer of the guard, where he had the use of his own servants, and free and uncontrolled intercourse with his friends.

The Enquirer intimates that force might have been resorted to in the first instance, and saved the necessity for the commitment. This is true—the Governor could have sent an armed force, and coerced the surrender of the papers at the point of the bayonet—but would this have been the proper course? Was it not better for him to pursue his object by civil process, and after entering upon this course, finding his judicial authority contemned and despised at every step taken—was it not due to his station, and due to the law, that he should enforce his authority, and punish all contempt of it? Col. Callava was committed for contempt, shewn the supreme judicial tribunal of the Florida—and not to facilitate the acquisition of the papers. The search warrant, on which the papers were ultimately obtained, might have been issued previous to any demand made, would that have been more respectful towards Col. Callava?

We regretted then, and still do, in common with all the good people of our town, the deplorable result of the affair in question. Col. Callava's motives for refusing to deliver the papers, never were supposed to be corrupt. No one thought him personally interested—he was influenced solely by a wish to maintain what he conceived due to his station. With him the contest was for the due observance of etiquette. He considered himself as still clothed with the authorities and privileges of commissioner, requiring the Governor to address him as such, and otherwise refusing to answer. Col. Callava was induced to take this stand, by the mistaken zeal of his friends; for we have good reason to believe that he would have given up the papers on the first application made, but for the advice of one of his officers, who urged it as necessary, to his dignity, that he should insist on being recognized as commissioner.—This course was still more extraordinary, when we remember that the Governor had some days before officially informed Col. C. that he would hold no further communication with him. Again—had Col. Callava been recognized as commissioner, there would have been no means of obtaining the papers, but through another sixteen years' negotiation. The commissioner's privileges would have covered the papers, and they would have been disposed of at the will and pleasure of Col. Callava. We do not pretend to say that Col. Callava wished to make this use of his privileges, for we believe he would have delivered over the papers immediately on the satisfactory adjustment of the point of etiquette contended for. But it goes to shew clearly, that the Governor was not at liberty to yield the point. He felt himself bound to have the papers delivered to the proper American officer—and if he had made the required concessions, he would at once have divested himself of all right to control—and could only thereafter have referred the petitioners to Col. Callava.

As to the expediency of the commitment, when the object pursued could have been attained without it—the Enquirer is reminded of the case of the Treasurer of Ohio, in the recent decision of the United States court—United States Bank vs. the Treasury, &c. *Floridaian.*

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General La Fayette and the United States.—Under this head, we find in the London Traveller of the 27th of September, an extract of a letter from a lady, who had recently visited Paris; the letter is dated September 24, 1821. She says—"We (General La Fayette and the writer) held an earnest *tete a tete* until after midnight. The main subject of our discourse was America, although we wandered into many episodes and digressions. The enthusiasm and heartfelt affection with which he spoke of our *Utopia* the high admiration he expressed for the character of its people, the ardent love of liberty which breathed through all his discourse, found, I need not say, an answering note of sympathy in me. He told me he had been peculiarly interested by the allusions in my work to the history of the American Revolution. 'You made me live those days over again.' In speaking of the Revolutionary Army he exclaimed, 'We were an army of brothers; we had all things in common—our pleasures, our pains, our money and our poverty.' At another time he observed, 'No historian could render justice to the virtues of that army; no words could paint their sufferings, still less could they paint their fortitude, their disinterestedness, and sublime patriotism.' He observed also upon the simple manners, warm hospitality, pure morals, of the American nation. 'You have only rendered justice to them,' he added, smiling; 'truly they are the best and happiest people in the world.' *Com. Adv.*

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